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6 Attorneys for Plaintiff/Counter-Defendant,  
 7 PHOENIX TECHNOLOGIES LTD.



8 **UNITED STATES DISTRICT COURT**  
 9 **NORTHERN DISTRICT OF CALIFORNIA**  
 10 **SAN JOSE DIVISION**

11 PHOENIX TECHNOLOGIES LTD., a  
 Delaware Corporation,  
 12 Plaintiff,  
 13 v.  
 14 XTOOL MOBILE SECURITY, INC., a Nevada  
 Corporation; Pedro Camargo, an individual, and  
 15 Victoria Correa, an individual,  
 16 Defendants.

Case No. 5:09-CV-02980 JW (PSG)

**STIPULATION AND ~~PROPOSED~~  
 ORDER RE: DISMISSAL**

Judge: Honorable James Ware  
 Room: 5, 17th Floor

17  
 18 **AND RELATED COUNTERCLAIMS**

Complaint Filed: July 2, 2009  
 Trial Date: TBD

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1 Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, the parties hereby stipulate to  
2 the dismissal of this action, including all claims and counterclaims, with prejudice in its entirety with  
3 each party bearing its own costs and fees. The Clerk of Court shall terminate all pending motions  
4 as withdrawn.

**K&L GATES LLP**

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7 Dated: July 1, 2011

By: /s/ Karineh Khachatourian

Karineh Khachatourian

Attorneys for Phoenix Technologies Ltd.

**REYNOLDS FRIZZELL BLACK DOYLE  
ALLEN & OLDHAM, LLP**

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11  
12 Dated: July 1, 2011

By: /s/ Jeremy L. Doyle

Jeremy L. Doyle

Attorneys for XTool Mobile Security, Inc.

**ORDER**

16  
17 Upon the parties' stipulation, and good cause appearing therefor,

18 **IT IS SO ORDERED.**

19  
20 Dated: July 5, 2011

By: 

Honorable James Ware  
United States District Court Judge

1 **SIGNATURE ATTESTATION**

2 Pursuant to General Order No. 45(X)(B), I hereby attest that I have obtained the concurrence  
3 in the filing of this document from all the signatories for whom a signature is indicated by a  
4 “conformed” signature (/s/) within this e-filed document and I have on file records to support this  
5 concurrence for subsequent production for the court if so ordered or for inspection upon request.  
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7  
8 Dated: July 1, 2011

By: /s/ Karineh Khachatourian

9 Karineh Khachatourian

10 Attorney for Phoenix Technologies Ltd.

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